

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 05, 2024

SEAN F. MCAVOY, CLERK

U.S.A. vs. Anderson, David Matthew Docket No. 0980 2:23CR00050-MKD-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Erik Carlson, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant, David Matthew Anderson, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Alexander C. Eckstrom on the 28th day of May 2024 (ECF No. 30), and by the Honorable U.S. Magistrate Judge James A. Goeke on the 10th day of June 2024 (ECF No. 34), sitting in the Court at Spokane, Washington, under the following conditions:

Standard Condition #8 (ECF No. 30): Defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

Special Condition #4 (ECF No. 30): Defendant shall abstain totally from the use of alcohol.

Additional Condition #3 (ECF No. 34): Defendant shall submit to random urinalysis and/or Breathalyzer testing as directed by the United States Probation/Pretrial Services Office for determining whether the Defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing up to six times per month.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On July 11, 2024, the undersigned officer reviewed the conditions of pretrial release supervision with Mr. Anderson. Mr. Anderson acknowledged an understanding of the release conditions at that time.

Violation #1: David Matthew Anderson is alleged to have violated the conditions of pretrial release supervision by admitting to ingesting cocaine on or about November 22, 2024.

On November 26, 2024, Mr. Anderson contacted the undersigned officer and advised he failed to appear for a random drug test at Pioneer Human Services (PHS) on November 25, 2024. Subsequently, Mr. Anderson was directed to report to the U.S. Probation Office in Spokane, Washington, and submit to urinalysis testing on November 26, 2024.

Later on November 26, 2024, Mr. Anderson reported to the U.S. Probation Office as directed and provided a urine specimen that tested presumptive positive for the presence of cocaine. Subsequently, Mr. Anderson admitted he ingested cocaine on or about November 22, 2024, and signed the substance use admission form. The urine sample was also packaged and sent to Alere Toxicology Services, Inc. (Alere) for further analysis. On December 4, 2024, Alere confirmed the above-noted urine specimen tested positive for the presence of cocaine.

Violation #2: David Matthew Anderson is alleged to have violated the conditions of pretrial release supervision by admitting to consuming alcohol on or about November 22, 2024.

On November 26, 2024, the undersigned officer had a telephone conversation with Mr. Anderson after learning he had tested presumptive positive for the presence of cocaine, as noted in violation number 1. During that conversation, Mr. Anderson admitted he went to his ex-girlfriend's birthday party. Mr. Anderson verbally admitted consuming alcohol at that party.

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Violation #3: David Matthew Anderson is alleged to have violated the conditions of pretrial release supervision by failing to report for random drug testing on November 25, 2024.

On July 11, 2024, the undersigned officer referred Mr. Anderson to the phase urinalysis testing program at PHS. Beginning on July 12, 2024, Mr. Anderson was required to call PHS on a daily basis to determine if he was required to submit to random drug testing. Mr. Anderson failed to report as required for random drug testing at PHS on November 25, 2024.

It should be noted, on November 26, 2024, Mr. Anderson contacted the undersigned officer to advise he failed to report for random drug testing at PHS on November 25, 2024. Mr. Anderson explained he fell asleep after returning home from work and woke up after PHS had closed for business.

PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: December 4, 2024

by s/Erik Carlson

Erik Carlson
U.S. Pretrial Services Officer

THE COURT ORDERS

- ☒ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

12/5/2024

Date